

Before the  
Federal Communications Commission  
Washington, D.C. 20554

FCC 11-13

In the Matter of	)	
Connect America Fund	)	WC Docket No. 10-90
A National Broadband Plan for Our Future	)	GN Docket No. 09-51
Establishing Just and Reasonable Rates for Local Exchange Carriers	)	WC Docket No. 07-135
High-Cost Universal Service Support	)	WC Docket No. 05-337
Developing an Unified Intercarrier Compensation Regime	)	CC Docket No. 01-92
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
Lifeline and Link-Up	)	WC Docket No. 03-109
	)	

To: Office of the Secretary  
Federal Communications Commission  
Washington, DC 20554

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1. I wish to submit reply comments on the above captioned Dockets regarding land line phone services.

2. My **four** comments are primarily related to **public safety**:

3. **My first concern** is public safety for the elderly. As an example, I have a 95-year-old neighbor who lives independently in the same home she has occupied for the last 75 years. She is unable to use a cell phone because it is so confusing to her. She is

incapable of using VOIP because she cannot grasp the concepts of a computer, nor can she afford a computer. She is on a limited budget (social security is her only income) and requires only basic land line phone services to keep in touch with her family, neighbors, doctor, pharmacy, and, of course, 911 if needed. Requiring elderly people to transition to a cell phone, VOIP, or television cable places an undue financial and personal burden on those most dependent on land line phones but it is the 911 safety issue that is clearly alarming.

**4. My second concern** for public safety is in regard to hard-wired security systems. We have security systems in 2 homes; both require a landline. If landlines are eliminated, each of these homes will require data transmission via a wireless, computer, or cable system. That means a costly and complete rebuild of the security systems, and may result in a system dependent on a phone which requires re-charging, or a computer being powered up, as opposed to a copper landline-based data transmission. The existing landlines used for our security systems also double as our home-based land line, thus reducing phone costs. Also, there are plenty of times when my computer and cable are down, but my landline is operating perfectly. To change the configuration would create a personal safety and security weakness for me during times of certain power outages. This is a concern that is heightened along our western coastal areas where power outages are routine, rather than anomalies, during about 6 months of the year. In 2007, after a coastal storm in Astoria, Oregon, we had power outages for more than a week. A small generator was all that was needed to operate the security system. During the outage, our little place had landline telephone service days before reliable cell service was restored.

**5. My third concern** is that if landlines are discontinued, then the public will experience what will amount to an FCC ruling that requires prolific expansion of towers and wireless facilities. In this event, I am especially concerned about both single- and multi-user wireless facilities located on hillsides near residential or occupational buildings where new towers with wireless facilities are slightly down-slope from those buildings. This issue needs thorough review and a thoughtful remedy. New single-user wireless facilities, which may *technically* meet the existing criteria for categorical exclusion from health concerns because they are 10 meters *above ground level* (and within the current

FCC limitation for power out-put of categorically excluded facilities) clearly may be less than a height of 10 meters above a nearby residence or occupied building. In this event, such facilities should not be categorically excluded from routine RF safety review. At sites where multi-users co-locate, there should be additional measures taken to evaluate the site for RF safety before additional users co-locate on a facility.

6. The 1996 TCA allows categorical exclusion and siting priority for facilities exceeding 10 meters because those facilities are theoretically designed to protect occupants from excessive RF below and near those facilities.<sup>1</sup> However, this theory is invalid if a wireless tower facility is constructed on a hillside, down-slope from a residence, where the antenna height is 10 meters above ground level but not 10 meters above the height of the nearby home. In this case, the antenna(s), in fact, may be in close proximity and the center of radiation directed towards heads and bodies of those inhabiting the households; be it the living room, bedroom, kitchen or bath.

7. An example of the up-slope/down-slope problem is best described using a scenario where developable lots and existing residences are present on a 500-foot tall hillside – a situation very common here in the west. If new wireless facilities are needed to meet demand for landline replacement, that hillside might quickly become dotted with towers 10 meters or greater in height, with multiples of wireless antennas at the top of each tower. At that time, each residence (and building envelope for a developable lot) located equidistantly *uphill* from the tower base, in fact, may be subject to peak radiation levels from the antennas at the top of the tower. Any new FCC rules adopted as a result of these Dockets, or revisions to the public safety requirements of the 1996 TCA, should include changes to require that wireless facilities *shall not* be considered categorically excluded from routine Radiofrequency Radiation health effects evaluation if the facility is not 10 meters above the height of any residence or occupied building within 1,000 feet. Requiring a minimum buffer of 1,000 feet for facilities failing to meet a 10-meters-above-existing-residences test will serve to improve public safety because each of those

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<sup>1</sup> I assume the theory supporting categorical exclusion is a tested and testable concept showing those wireless facilities above 10 meters and under a certain power out-put are safe. Otherwise, it would seem, there would be a categorical exclusion for *all* facilities, not just those above a certain height.

facilities would then have an opportunity for RF safety review prior to siting approval, would undergo routine monitoring, or they would be subject to an automatic safety distance buffer.

**8. My fourth concern** is for RF safety evaluation of those facilities with multiple users or where several antennas are located at various levels on a tower facility. Presently, each new antenna is required to comply with the FCC RF safety standards for public and occupational exposure. My concern is that aggregately, when co-located, because there is only self-compliance, the RF safety standards are not being properly monitored at hundreds, if not thousands, of sites across the nation. I am aware that the FCC does not have the manpower to visit each of these sites every year, but a few random surprise visits would go a long way to promoting RF safety. Another method that would dramatically improve compliance would be to incorporate into any new rules that property owners, landlords, and leaseholders can be individually or collectively disciplined or fined by the FCC if a site fails to meet the FCC's RF safety standards for public and occupational exposure. Although the law requires composite RF safety compliance for occupational and public exposure levels at a site, at this time, the law appears to hold only the owner/licensee of each antenna as an accountable party if RF levels exceed those set forth as safe by the FCC. Site owners should have the same responsibility as any other party for RF safety compliance because in many cases, it is the site owner who granted permission to the occupant(s) for the use of the site.

Thank you for this opportunity to submit reply comments.

A handwritten signature in black ink, appearing to read "Debrah J. Curl", with a long, sweeping flourish extending to the right.

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